

APPROVED

**CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA**

MINUTES

**May 17, 2007 - 1:30 pm
Seminole County Services Building – Room 1028
1101 East First St, Sanford FL**

I Call to Order

The scheduled meeting of the Seminole County Code Enforcement Board was called to order at 1:33 p.m. in the Seminole County Services Building, Room 1028, 1101 East First St, Sanford FL.

A few moments of silence was held followed by the Pledge of Allegiance.

II Pledge of Allegiance

III Roll Call

Members Present: Tom Hagood, Chair
Bill Fahey, Vice Chair
Grace Chewning
Gerald Ames
Larry Lawver
Stewart Fritz
Jay Ammon

Members Excused: None

Present & Sworn: John Daniels, Respondent, 05-49-CEB
Van R. Ehlenfield, Respondent, 05-52-CEB
Manny Tato, Respondent, 07-12-CEB
Ted Crowell, Respondent, 07-33-CEB
Angela Wood Dryburgh, Respondent, 07-53-CEB
Debbie Wheeler, Respondent, 07-52-CEB
Nancy Helms, Respondent, 07-52-CEB and 07-54-CEB
Jerry Robertson, Code Enforcement Officer, SCSO
Joann Davids-Tamulonis, Code Enforcement Officer, SCSO
Dorothy Hird, Code Enforcement Officer, SCSO
Donna Wisniewski, Code Enforcement Officer, SCSO
Pamela Taylor, Code Enforcement Officer, SCSO
Deborah Leigh, Senior Code Enforcement Officer, SCSO

Others Present: Dan Mantzaris, Code Enforcement Board Attorney
Connie R. DeVasto, Clerk to the Code Enforcement Board
Jane Spencer, New Clerk to the Code Enforcement Board
Court Reporter for John Daniels, 05-49-CEB

IV Swearing in of Witnesses

D. Dicrisci, Representative for Respondents, 00-94-CEB
Dennis Gainous, Representative for Respondent, 00-94-CEB
Marie Chowanski, Girlfriend of Respondent, 05-49-CEB
Harvey Alper, Attorney for Respondent, 05-49-CEB
Alan Bowling, Witness for Petitioner, 05-49-CEB
Ed Cooley, Attorney for Respondent, 07-12-CEB
Robert McIntosh, Attorney for Respondents, 07-47-CEB
Alvin Alburez, Son of Respondents, 05-84-CEB

V Agenda Update & Approval

The published agenda was revised to allow respondents and witnesses present at today's hearing to be heard first. The remaining cases would then be heard in the order originally published.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
GERALD AMES – YES
LARRY LAWVER – YES**

**BILL FAHEY – YES
JAY AMMON – YES
STEWART FRITZ – YES**

MOTION CARRIED 7 – 0.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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The following cases will not be heard today:

Vincenzo & Angelina Giuffrida, 07-35-CEB, Complied Prior to Hearing
Nancy Shine, Trustee FBO, 07-36-CEB, Withdrawn by Staff
Sharon Dodd-Blake & Doug Blake, 07-46-CEB, Complied Prior to Hearing
Spartan/17-92, LLC, 07-50-CEB, Complied Prior to Hearing
Walter Marsden & Marilyn & Daniel Marsden, 07-55-CEB, Complied Prior to Hearing

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Case No 00-94-CEB
Fla Jai-Alai
Hort Soper, Registered Agent
Code Enforcement Officer: Dorothy Hird

This is a second repeat violation. The original violation was heard by the Board on September 28, 2000 and an Order was entered. An Affidavit of Compliance was filed by the Code Enforcement Officer after reinspection on October 30, 2000. An Affidavit of Repeat Violation was filed after reinspection on January 26, 2005. An Affidavit of Compliance After Repeat Violation was filed after reinspection on March 1, 2005.

A second Affidavit of Repeat Violation was filed after reinspection on January 30, 2007. An Affidavit of Compliance After Repeat Violation was filed after reinspection on February 14, 2007. This property is presently in compliance.

Recommendation: The Board issue an Order constituting a **fine** on a repeat violation in the amount of **\$3,000.00** for 15 days of non-compliance from January 30, 2007 through and including February 13, 2007 at **\$200.00 per day**. The Clerk shall record said Order in the Public Records of Seminole County.

Violation Charged: Section 95.4 as defined in Section 95.3 (g), Seminole County Code.
Described as: 1) Accumulation of trash and debris.
Location: Highway 17-92, Fern Park (Commission District 4)
Tax Parcel ID # 17-21-30-300-023B-0000
17-21-30-300-023C-0000

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Dorothy Hird, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violation. Officer Hird stated that this property was in compliance as of 2/14/07. Officer Hird stated that she believed that Mr. Gainous had been in the hospital and that is what delayed compliance.

Officer Hird presented an Affidavit of Costs for \$407.80.

Officer Hird stated that the Respondents had been very good at taking care of the non-compliance issues.

Dominic Dicrisci and Dennis Gainous, Representatives of Florida Jai-Alai, were present at this hearing and testified on behalf of the Respondents.

Mr. Gainous advised that because he had been ill, it had taken longer to come into compliance.

After discussion of this case by the Board:

MOTION BY BILL FAHEY, SECONDED BY LARRY LAWVER, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER ON A REPEAT VIOLATION PRESENTLY IN COMPLIANCE BE:

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER
ON A REPEAT VIOLATION PRESENTLY IN COMPLIANCE**

The Respondents are the owners of record of the property (Tax Parcel ID # 17-21-30-300-023B-0000 and 17-21-30-300-023C-0000) located at Highway 17-92, Fern Park, located in Seminole County and legally described as follows:

PARCEL # 17-21-30-300-023B-0000

LEG SEC 17 TWP 21S RGE 30E THAT PT OF SW 1/4 OF SW 1/4 SE OF FERNWOOD PLAZA AND 17-21-30-300-023C-0000 SEC 17 TWP 21W RGE30E BEG 365.35 FT E OF SW COR RUN N 41 DEG 9 MIN 31 SEC E TO S LI FERNWOOD PLAZA S 51 DEG 47 MIN 26 SEC E TO S LI W TO BEG AND 17-21-30-510-0000-004H ELY 432.52 FT OF LOT 4 (LESS N 210 FT OF W 105 FT & W 257.52 FT OF E 327.52 FT OF N 200 FT & E 70 FT OF N 365 FT) FERNWOOD PLAZA PB 13 PG 95

PARCEL # 17-21-30-300-023C-0000

LEG ASSESSED WITH 17-21-30-300-023B-0000 SEC 17 TWP 21S RGE 30E BEG 365.35 FT E OF SW COR RUN N 41 DEG 9 MIN 31 SEC E TO S LINE FERNWOOD PLAZA S 51 DEG 47 MIN 26 SEC E TO S LINE W TO BEG

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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This case came on for public hearing before the Code Enforcement Board of Seminole County on September 28, 2000, after due notice to the Respondents. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

Said Order found the Respondents in violation of the Seminole County Code, Chapter 95, Section 95.4, as defined in 95.3(g).

Said Order stated that a fine in the amount of \$200.00 per day would be imposed if the Respondents did not take certain corrective action by October 31, 2000. Compliance was obtained on October 30, 2000.

An Affidavit of Repeat Violation has been filed with the Board by the Code Officer, which Affidavit certifies under oath that the violation was being repeated as of January 30, 2007.

An Affidavit of Compliance After Repeat Violation has been filed with the Board by the Code Officer, which Affidavit certifies under oath that corrective action has been taken by the Respondents as of February 14, 2007.

Based on the testimony and evidence presented, the Respondents were in repeat violation of the Seminole County Code, as stated in the original Findings of Fact, Conclusions of Law and Order dated September 28, 2000.

Therefore, the Board finds that the Respondents were in repeat violation and orders that the fine in the amount of **\$3,000.00** for 15 days of non-compliance **be reduced to \$300.00.**

This Order shall be recorded in the public records of Seminole County, Florida.

DONE AND ORDERED this 17th day of May, 2007, in Seminole County, Florida.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
GERALD AMES – YES
LARRY LAWVER – YES**

**BILL FAHEY – YES
JAY AMMON – YES
STEWART FRITZ – YES**

MOTION CARRIED 7 – 0.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
MAY 17, 2007

Case No 05-49-CEB
John D. Daniels
Code Enforcement Officer: Pamela Taylor

This is a repeat violation. The original violation was heard by the Board on July 28, 2005 and an Order was entered. An Affidavit of Compliance was filed by the Code Enforcement Officer after reinspection on August 31, 2005.

An Affidavit of Repeat Violation was filed after reinspection on April 3, 2007. This property is NOT in compliance at this time.

Recommendation: The Board issue an Order constituting a **fine** on a repeat violation in the amount of **\$11,250.00**, for 45 days of non-compliance, from April 3, 2007 through and including May 17, 2007 at **\$250.00 per day**; and the fine shall continue to accrue at **\$250.00 per day** for each day the violation continues or is repeated past May 17, 2007. The Clerk shall record said Order in the Public Records of Seminole County.

Violation Charged: Seminole County Land Development Code, Chapter 30, Section 30.122, 30.123 and 30.124.

Described as: 1) Operating a business in an agricultural zone that is not a permitted or limited use or a use allowed by Special Exception.

Location: 4300 Nolan Rd., Sanford (Commission District 5)
Tax Parcel ID # 14-20-30-300-030A-0000

Pamela Taylor, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violation and newspaper ads.

Officer Taylor stated that she had received many complaints concerning this property. Upon inspection, she observed eight vehicles on the property, six of which the Respondent was able to produce titles for.

Mr. Alan Bowling, a witness, was present and testified on behalf of the County. Mr. Bowling stated that he has observed five motor homes, two boats and several cars located on Mr. Daniel's property. Mr. Bowling stated that people will often times knock on his door trying to access Mr. Daniel's property because of newspaper ads.

Mr. Harvey Alper, attorney for the Respondent, was present and testified on behalf of the Respondent.

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Mr. Alper questioned whether Mr. Bowling had observed the violations in the relevant time period for which the citation was issued.

Tom Hagood clarified what the relevant time period was, stating that it was April 3, 2007 through May 17, 2007.

Mr. Bowling testified yes, that it was during Bike Week that he noticed it.

Mr. Alper questioned whether Mr. Bowling had personal knowledge of the ownership of the vehicles that he observed.

Mr. Bowling stated no.

General discussion was had as to ownership of the vehicles.

Mr. Alper questioned Mr. Daniels regarding operating a business on this property.

John Daniels, Respondent, was present at this hearing and testified on his own behalf. Mr. Daniels stated that he is not operating a business on the premises.

Mr. Alper questioned Mr. Daniels regarding ownership of the motor vehicles located on this property during the relevant time period.

Mr. Daniels discussed the vehicles and their ownership.

Mr. Daniels further stated that he believed he was in compliance.

Marie Chowanski, girlfriend of the Respondent, was present at this hearing and testified on behalf of the Respondent.

Mr. Alper questioned Ms. Chowanski regarding ownership of the motor vehicles located on this property.

Ms. Chowanski discussed the vehicles and their ownership.

General discussion was had concerning the newspaper ads.

Larry Lawver asked Mr. Bowling to explain how he remembered the time period in which he observed the activity occurring that he had testified to.

Mr. Bowling stated that it was right before Bike Week.

Larry Lawver stated that Bike Week was before the relevant time period.

After discussion of this case by the Board:

MOTION BY LARRY LAWVER, SECONDED BY GERALD AMES, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER ON A REPEAT VIOLATION BE:

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER
ON A REPEAT VIOLATION**

The Respondent is the owner of record of the property (Tax Parcel ID # 14-20-30-300-030A-0000) located at 4300 Nolan Road, Sanford, located in Seminole County and legally described as follows:

SEC 14 TWP 20S RGE 30E BEG 277.63 FT N OF SE COR OF NE ¼ OF SE ¼
RUN N 270.64 FT N 62 DEG 18 MI 26 SEC W 221.17 FT TO SELY R/W SR 427
SWLY ALONG R/W TO A PT N 59 DEG 44 MIN 50 SEC W OF BEG S 59 DEG 44
MIN 50 SEC E 418.54 FT TO BEG (LESS RDS)

This matter came before the Board at a hearing on May 17, 2007 upon the Petitioner's request to impose a fine for a repeat violation of a prior Order of the Board. Based on the evidence and testimony presented, the Board finds that the Petitioner has not proven that there has been a repeat violation of the Board's Order of July 28, 2005 as amended by the Board's Order of October 25, 2005; and therefore, the Petitioner's request to issue a fine is denied.

This Order shall be recorded in the public records of Seminole County.

DONE AND ORDERED this 17th day of May 2007 in Seminole County, Florida.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
GERALD AMES – YES
LARRY LAWVER – YES**

**BILL FAHEY – NO
JAY AMMON – YES
STEWART FRITZ – YES**

MOTION CARRIED 6 – 1.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
MAY 17, 2007

Case No 05-52-CEB
Van R. Ehlenfield
Code Enforcement Officer: Jerry Robertson

This is a repeat violation. The original violation was heard by the Board on July 28, 2005 and an Order was entered. An Affidavit of Compliance was filed by the Code Enforcement Officer after reinspection on October 31, 2005.

An Affidavit of Repeat Violation was filed after reinspection on March 30, 2007 with an April 15, 2007 compliance date. An Affidavit of Compliance was filed after reinspection on May 9, 2007. This property is presently in compliance.

Recommendation: The Board issue an Order constituting a **fine** on a repeat violation in the amount of **\$2,300.00**, for 23 days of non-compliance, from April 16, 2007 through and including May 8, 2007 at **\$100.00 per day**. Further, the fine shall be increased to **\$150.00 per day** for each day the violation is repeated after May 17, 2007. The Clerk shall record said Order in the Public Records of Seminole County.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3(l).
Described as: 1) Junked or abandoned vehicle(s) not kept within an enclosed garage or an attached carport.
Location: 131 Langford Dr., Oviedo (Commission District 1)
Tax Parcel ID # 21-21-32-5CF-0F00-0080

Jerry Robertson, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violation. Officer Robertson stated that the property was in compliance at this time.

Officer Robertson presented an Affidavit of Costs for \$66.58.

Van Ehlenfield, Respondent, was present at this hearing and testified on his own behalf. Mr. Ehlenfield appealed the amount of the fine.

Motion by Gerald Ames, seconded by Jay Ammon, to reduce the \$2,300.00 fine to \$250.00.

General discussion was had on this motion.

Amendment to the motion by Bill Fahey to increase the fine to \$150.00 per day if the violation is repeated.

Gerald Ames and Jay Ammon were agreeable to the amendment made by Mr. Fahey.

After additional discussion of this case by the Board:

MOTION BY GERALD AMES, SECONDED BY JAY AMMON, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER ON A REPEAT VIOLATION PRESENTLY IN COMPLIANCE BE:

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER
ON A REPEAT VIOLATION PRESENTLY IN COMPLIANCE**

The Respondent is the owner of record of the property (Tax Parcel # 21-21-32-5CF-0F00-0080) located at 131 Langford Drive, Oviedo, located in Seminole County and legally described as follows:

LEG LOTS 8 9 10 + 11 BLK F NORTH
CHULUOTA PB 2 PG 54 TO 58

This case came on for public hearing before the Code Enforcement Board of Seminole County on the July 28, 2005 after due notice to the Respondent. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

Said Order found Respondent in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (l).

Said Order stated that a fine in the amount of \$100.00 per day would be imposed if the Respondent did not take certain corrective action by October 28, 2005. Compliance was obtained on October 31, 2005.

An Affidavit of Repeat Violation has been filed with the Board by the Code Enforcement Officer, which Affidavit certifies under oath that the violation was being repeated after reinspection on March 30, 2007.

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An Affidavit of Compliance After Repeat Violation has been filed with the Board by the Code Enforcement Officer, which Affidavit certifies under oath that corrective action has been taken by the Respondent after reinspection on May 9, 2007.

Based on the testimony and evidence presented, the Respondent was in repeat violation of the Seminole County Code, as stated in the original Findings of Fact, Conclusions of Law and Order dated July 28, 2005.

Therefore, the Board finds that the Respondent was in repeat violation and orders that the fine in the amount of \$ **2,300.00** for 23 days of non-compliance **be reduced to \$250.00.**

Further, the fine shall be increased to **\$150.00 per day** for each day the violation is repeated after May 17, 2007

This Order shall be recorded in the public records of Seminole County.

DONE AND ORDERED this 17th day of May 2007, in Seminole County, Florida.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
GERALD AMES – YES
LARRY LAWVER – YES**

**BILL FAHEY – YES
JAY AMMON – YES
STEWART FRITZ – YES**

MOTION CARRIED 7 – 0.

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Case No. 07-12-CEB
Manny's Chophouse, Inc.
Brea L. Tato, Registered Agent
Code Enforcement Officer: Joann D. Tamulonis

This is a repeat violation. The original violation was heard by the Board on February 22, 2007 and an Order was entered. An Affidavit of Compliance was filed by the Code Enforcement Officer after reinspection on March 3, 2007.

An Affidavit of Repeat Violation was filed after reinspection on March 24, 2007. An Affidavit of Compliance After Repeat Violation was filed after reinspection on April 10, 2007. This property is presently in compliance.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
MAY 17, 2007

Recommendation: The Board issue an Order constituting a **fine** on a repeat violation in the amount of **\$8,500.00**, for 17 days of non-compliance, from March 24, 2007 through and including April 9, 2007 at **\$500.00 per day** (two signs at \$250.00 per sign per day). Further, the fine shall be increased to **\$500.00 per day, per violation**, each sign being a separate violation, for each day the violations are repeated after May 17, 2007. The Clerk shall record said Order in the Public Records of Seminole County.

Violation Charged: Seminole County Land Development Code, Chapter 30, Part 65, Section 30.1245 (1) and (6).

Described as: 1) Recurring displays of prohibited signage.

Location: In the vicinity of 108 Markham Woods Rd, on public and private property (Commission District 3)

Joann Tamulonis, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violation. Officer Tamulonis stated that the property is in compliance.

Officer Tamulonis stated that the recommendation would be to impose a fine in the amount of \$8,500.00 for 17 days of non-compliance to be paid within 60 days of this hearing or the fine will automatically constitute a lien and to increase the daily fine to \$500.00 per day, per violation, each sign being a separate violation, if the violation is repeated past today's date.

Manny Tato, Respondent, was present at this hearing and testified on his own behalf. Ed Cooley, attorney for the Respondent, was present at this hearing. Mr. Cooley informed the Board that Mr. Tato does not dispute that the violation occurred, nor does he oppose the increased fine if the violation is repeated.

Mr. Cooley stated that Mr. Tato did not realize the significance of the matter and is requesting a reduction in the fine.

Motion by Gerald Ames, seconded by Grace Chewing, to reduce the \$8,500.00 fine to \$1,000.00 and to increase the fine to \$500.00 per day if the violation is repeated.

General discussion was had on this motion. Tom Hagood clarified that the intent of the motion was a fine of \$500.00 per day, per sign if the violation is repeated.

After additional discussion of this case by the Board:

MOTION BY GERALD AMES, SECONDED BY GRACE CHEWNING, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER ON A REPEAT VIOLATION PRESENTLY IN COMPLIANCE BE:

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER
ON A REPEAT VIOLATION PRESENTLY IN COMPLIANCE**

Based on the testimony and evidence presented in case number 07-12-CEB, it is determined that the Respondents are:

- (a) in possession and control of the unpermitted sign(s); and
- (b) in violation of Seminole County Land Development Code, Part 65, Chapter 30, Section 30.1245 (1) and (6).

This case came on for public hearing before the Code Enforcement Board of Seminole County on February 22, 2007 after due notice to the Respondents. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

Said Order found Respondents in violation of Seminole County Land Development Code, Part 65, Chapter 30, Section 30.1245 (1) and (6).

Said Order stated that a fine in the amount of \$250.00 per day, per sign would be imposed if the Respondents did not take certain corrective action by March 5, 2007. Compliance was obtained on March 3, 2007.

An Affidavit of Repeat Violation has been filed with the Board by the Code Enforcement Officer, which Affidavit certifies under oath that the violations were being repeated after reinspection on March 24, 2007.

An Affidavit of Compliance After Repeat Violation has been filed with the Board by the Code Enforcement Officer, which Affidavit certifies under oath that corrective action has been taken by the Respondents after reinspection on April 10, 2007.

Based on the testimony and evidence presented, the Respondents were in repeat violation of the Seminole County Code, as stated in the original Findings of Fact, Conclusions of Law and Order dated February 22, 2007.

Therefore, the Board finds that the Respondents were in repeat violation and orders that the fine in the amount of **\$8,500.00** for 17 days of non-compliance **be reduced to \$1,000.00.**

Further, the fine shall be increased to **\$500.00 per day, per violation** (each sign being a separate violation) for each day the violations are repeated after May 17, 2007.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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This Order shall be recorded in the public records of Seminole County.

DONE AND ORDERED this 17th day of May 2007, in Seminole County, Florida.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
GERALD AMES – YES
LARRY LAWVER – YES**

**BILL FAHEY – NO
JAY AMMON – YES
STEWART FRITZ – YES**

MOTION CARRIED 6 – 1.

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Case No. 07-45-CEB
Ted H. and Cindy Crowell
Code Enforcement Officer: Joann D. Tamulonis

New Case

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (p).

Described as: 1) Any other objectionable, unsightly, or unsanitary matter, substance, or material tending by its existence and/or accumulation to endanger or adversely affect the health, safety, lives, and/or welfare of the citizens of the county

Location: 6028 Linneal Beach Drive, Apopka (Commission District 3)
Tax Parcel ID # 19-21-29-506-0000-0210

Joann Tamulonis, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violation. Officer Tamulonis stated that she had received a complaint from a neighbor who had damage done to his property from a dead tree. Officer Tamulonis stated that she had spoken with the Respondent and that he is trying to get a company to take down the tree but was having financial difficulties.

Officer Tamulonis stated that the recommendation would be to comply by May 29, 2007 with a fine of \$250.00 per day if this violation continues or is repeated past May 29, 2007.

Ted Crowell, Respondent, was present at this hearing and testified on his own behalf. Mr. Crowell advised the Board that he has been on disability but has been attempting to get someone to take the tree down.

Tom Hagood inquired as to the amount of time needed to comply.

Mr. Crowell responded that he doesn't have the money to do this.

General discussion was had as to the safety issues concerning this property.

Officer Tamulonis stated that it was a safety issue.

General discussion was had concerning tree removal.

Bill Fahey asked Officer Tamulonis if she objected to the Board giving the Respondent more time.

Officer Tamulonis stated she had no objection.

Motion by Grace Chewning to accept Staff's recommendation.

Motion seconded by Gerald Ames with an amendment to reduce the \$250.00 daily fine to \$100.00 per day.

Ms. Chewning was agreeable to the amendment to the motion.

Amendment to the motion by Bill Fahey to increase timeframe failed.

After additional discussion of this case by the Board:

MOTION BY GRACE CHEWNING, SECONDED BY GERALD AMES, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 07-45-CEB, it is determined that the Respondents are:

- (a) the owners of record of the property (Tax Parcel ID # 19-21-29-506-0000-0210) located 6028 Linneal Beach Drive, Apopka, located in Seminole County and legally described as follows:

LEG LOT 21 JANSEN SUBD PB 11 PG 57

- (b) in possession or control of the property, and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (p)

It is hereby ordered that the Respondents shall correct the violation on or before May 29, 2007. In order to correct the violation, the Respondents shall take the following remedial action:

- 1) Remove the dead tree, tending by its existence and/or accumulation to endanger or adversely affect the health, safety, lives, and/or welfare of the citizens of the county**

If the Respondents do not comply with the Order, a fine of **\$100.00 per day** will be imposed for each day the violation continues or is repeated after compliance past May 29, 2007.

The Respondents are further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 17th day of May 2007, in Seminole County, Florida.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
GERALD AMES – YES
LARRY LAWVER – YES**

**BILL FAHEY – YES
JAY AMMON – YES
STEWART FRITZ – YES**

MOTION CARRIED 7 – 0.

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Case No. 07-47-CEB
Joe Jones Heirs and
Josie Wright
Code Enforcement Officer: Pamela Taylor

New Case

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
MAY 17, 2007

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (g), (h), (i) and (l)

Described as: 1) The accumulation of trash and debris
 2) Uncultivated vegetation in excess of 24" in height and located within 75' from any structure
 3) The remains or rubble of structures which have been burned, stricken by other casualty, or demolished
 4) Junked or abandoned vehicle(s) not kept within an enclosed garage or an attached carport.

Location: 2845 Celery Avenue, Sanford (Commission District 5)
 Tax Parcel ID # 32-19-31-300-0060-0000

Pamela Taylor, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violations. Officer Taylor stated that upon reinspection yesterday, she found that the junked vehicles and some of the trash and debris had been removed. Uncultivated vegetation and the remains of a structure still remain.

Officer Taylor informed the Board that she had spoken to both Ms. Wright and Mr. McIntosh, the attorney representing Ms. Wright.

Officer Taylor stated that the recommendation would be to comply by July 17, 2007 with a fine of \$200.00 per day if this violation continues or is repeated past July 17, 2007.

Robert McIntosh, attorney for the Respondents, was present and testified on their behalf stating that this is an isolated property where other people dump. Mr. McIntosh advised the Board that the property is and has been for sale since the estate was opened.

Mr. McIntosh stated that the Respondents would consent to a demolition by the County.

Motion by Larry Lawver, seconded by Grace Chewning, to accept Staff's recommendation.

Amendment to the motion by Jay Ammon to give Respondents another month to comply, August 17, 2007.

Mr. Lawver and Ms. Chewning were agreeable to Mr. Ammon's amendment to the motion.

Amendment to the motion by Stewart Fritz to decrease the daily fine to \$50.00.

Mr. Lawver and Ms. Chewning were agreeable to Fritz' amendment to the motion.

After additional discussion of this case by the Board:

**MOTION BY LARRY LAWVER, SECONDED BY GRACE CHEWNING, THAT
THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:**

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 07-47-CEB, it is determined that the Respondents are:

- (a) the owners of record of the property (Tax Parcel ID # 32-19-31-300-0060-0000) located at 2845 Celery Avenue, Sanford, located in Seminole County and legally described as follows:

LEG SEC 32 TWP 19S RGE 31E N 150 FT OF
E 1/3 OF W 3/4 OF SE 1/4 OF NE 1/4 (LESS RY)

- (b) in possession or control of the property, and
(c) in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (g), (h), (i) and (l).

It is hereby ordered that the Respondents shall correct the violations on or before **August 17, 2007**. In order to correct the violations, the Respondents shall take the following remedial action:

- 1) **Remove the accumulation of trash and debris**
- 2) **Remove uncultivated vegetation in excess of 24" in height and located within 75' from any structure**
- 3) **Remove the remains or rubble of structures which have been burned, stricken by other casualty, or demolished**
- 4) **Repair or remove the junked or abandoned vehicle(s) or place in an enclosed garage or an attached carport**

If the Respondents do not comply with the Order, a fine of **\$50.00 per day** will be imposed for each day the violations continue or are repeated after compliance past **August 17, 2007**.

The Respondents are further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
MAY 17, 2007

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 17th day of May 2007, in Seminole County, Florida.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
GERALD AMES – YES
LARRY LAWVER – YES**

**BILL FAHEY – YES
JAY AMMON – YES
STEWART FRITZ – YES**

MOTION CARRIED 7 – 0.

.....
Case No. 07-52-CEB
Nancy Helms, et al. C/O Deborah K. Wheeler
Code Enforcement Officer: Joann D. Tamulonis

New Case

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (g)
Described as: 1) The accumulation of trash and debris
Location: 105 Champion Avenue, Altamonte Springs (Commission District 3)
Tax Parcel ID # 03-21-29-505-0X00-0390

Joann Tamulonis, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violation. Officer Tamulonis advised the Board that the Respondents have made progress in cleaning up this property.

Officer Tamulonis stated that the recommendation would be to comply by June 14, 2007 with a fine of \$250.00 per day if the violation continues or is repeated past June 14, 2007.

Nancy Helms and Deborah Wheeler, Respondents, were present at this hearing and testified on their own behalf. Ms. Wheeler stated that she believed that she was in compliance at this time.

After discussion of this case by the Board:

MOTION BY STEWART FRITZ, SECONDED BY BILL FAHEY, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 07-52-CEB, it is determined that the Respondents are:

- (a) the owners of record of the property (Tax Parcel ID # 03-21-29-505-0X00-0390) located 105 Champion Avenue, Altamonte Springs, located in Seminole County and legally described as follows:

LEG BEG 861.25 FT E + 104.05 FT S OF NW COR BLK X RUN S 79
DEG 40 1/2 MIN E 197.48 FT S 15 DEG 19 1/2 MIN W 70 FT N 79 DEG
40 1/2 MIN W 197.48 FT N 15 DEG 19 1/2 MIN E 70 FT TO BEG
MOBIL MANOR 2ND SEC PB 11 PG 48

- (b) in possession or control of the property, and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (g)

It is hereby ordered that the Respondents shall correct the violation on or before **June 14, 2007**. In order to correct the violation, the Respondents shall take the following remedial action:

1) Remove the accumulation of trash and debris

If the Respondents do not comply with the Order, a fine of **\$250.00 per day** will be imposed for each day the violation continues or is repeated after compliance past **June 14, 2007**.

The Respondents are further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 17th day of May 2007, in Seminole County, Florida.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
GERALD AMES – YES
LARRY LAWVER – YES**

**BILL FAHEY – YES
JAY AMMON – YES
STEWART FRITZ – YES**

MOTION CARRIED 7 – 0.

.....
Case No. 07-53-CEB
Angela M. Wood
Code Enforcement Officer: Joann Tamulonis

New Case

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (g), (h), (i), (j), (l) and (p)

- Described as:
- 1) The accumulation of trash and debris
 - 2) Uncultivated vegetation in excess of 24” in height and located within 75’ from any structure
 - 3) The remains or rubble of structures which have been burned, stricken by other casualty, or demolished
 - 4) Used/scrap building materials
 - 5) Junked or abandoned vehicle(s) not kept within an enclosed garage or an attached carport
 - 6) Any other objectionable, unsightly, or unsanitary matter, substance, or material tending by its existence and/or accumulation to endanger or adversely affect the health, safety, lives, and/or welfare of the citizens of the county.

Location: 109 Champion Avenue, Altamonte Springs (Commission District 3)
Tax Parcel ID # 03-21-29-505-0X00-0370

Joann Tamulonis, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violations. Officer Tamulonis stated that although there had been quite a bit of clean-up, all of the violations still remain.

Officer Tamulonis stated that the recommendation concerning Violations 1, 2, 4, 5 and 6 would be to comply by June 14, 2007 and concerning Violation 3, comply by July 12, 2007 with a fine of \$250.00 per day if the violations continue or are repeated past their compliance dates.

Angela Wood, Respondent, was present at this hearing and testified on her own behalf that she had inherited the property and does not live there. Ms. Wood requested more time to fix Violation 3.

Stewart Fritz asked the Respondent how much more time she would need.

Ms. Wood responded that she would like a minimum of four months.

Gerald Ames inquired as to Ms. Wood's plans for the property.

Ms. Wood stated that she planned on keeping the property.

Motion by Gerald Ames, seconded by Larry Lawver, to accept Staff's recommendation.

Amendment to the motion by Bill Fahey to give Respondent until September 12, 2007 to comply with Violation 3.

Mr. Ames and Mr. Lawver were agreeable to the amendment to the motion.

After additional discussion of this case by the Board:

MOTION BY GERALD AMES, SECONDED BY LARRY LAWVER, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 07-53-CEB, it is determined that the Respondent is:

- (a) the owner of record of the property (Tax Parcel ID # 03-21-29-505-0X00-0370) located at 109 Champion Avenue, Altamonte Springs, located in Seminole County and legally described as follows:

LEG BEG 826.1 FT E + 232.32 FT S OF NW
COR BLK X RUN S 15 DEG 19 1/2 MIN W 170
FT N 72 DEG 24 MIN E 35 FT N 55 DEG 16 MIN
E 164.04 FT N 45 DEG 49 MIN E 122. 31 FT N
79 DEG 40 1/2 MIN W 197.48 FT S 15 DEG
19 1/2 MIN W 63 FT TO BEG MOBILE MANOR
2ND SECTION PB 11 PG 48

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
MAY 17, 2007

- (b) in possession or control of the property, and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (g), (h), (i), (j), (l) and (p).

It is hereby ordered that the Respondent shall correct violations 1), 2), 4), 5) and 6) on or before **June 14, 2007**. In order to correct the violations, the Respondent shall take the following remedial action:

- 1) **Remove the accumulation of trash and debris. (g)**
- 2) **Remove uncultivated vegetation in excess of 24" in height and located within 75' from any structure. (h)**
- 4) **Remove used/scrap building materials. (j)**
- 5) **Repair or remove the junked or abandoned vehicle(s) or place in an enclosed garage or an attached carport. (l)**
- 6) **Remove any other objectionable, unsightly, or unsanitary matter, substance, or material tending by its existence and/or accumulation to endanger or adversely affect the health, safety, lives, and/or welfare of the citizens of the county. (p)**

It is further ordered that the Respondent shall correct violation 3) on or before **September 12, 2007**. In order to correct this violation, the Respondent shall take the following remedial action:

- 3) **Obtain demolition permit and remove the remains or rubble of the structure which has been burned, stricken by other casualty, or demolished, or obtain required building permits for the purpose of reconstructing the remains or rubble of the structure. (i)**

If the Respondent does not comply with the Order, a fine of **\$250.00 per day** will be imposed for each day the violations continue or are repeated after compliance past **June 14, 2007** for violations 1), 2), 4), 5) and 6) and **September 12, 2007** for violation 3).

The Respondent is further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 17th day of May 2007, in Seminole County, Florida.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
GERALD AMES – YES
LARRY LAWVER – YES**

**BILL FAHEY – YES
JAY AMMON – YES
STEWART FRITZ – YES**

MOTION CARRIED 7 – 0.

.....
Case No. 07-54-CEB
Nancy Helms
Code Enforcement Officer: Joann D. Tamulonis

New Case

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (f), (g), (h), (j) and (p)

Described as: 1) Unusable or abandoned appliances or white goods
 2) The accumulation of trash and debris
 3) Uncultivated vegetation in excess of 24” in height and located within 75’ from any structure
 4) Used/scrap building materials
 5) Any other objectionable, unsightly, or unsanitary matter, substance, or material tending by its existence and/or accumulation to endanger or adversely affect the health, safety, lives, and/or welfare of the citizens of the county.

Location: 103 Champion Avenue, Altamonte Springs (Commission District 3)
 Tax Parcel ID # 03-21-29-505-0X00-0400

Joann Tamulonis, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violations. Officer Tamulonis stated that she had reinspected the property this morning; and although there had been some improvements, all of the violations still remain.

Officer Tamulonis stated that the recommendation would be to comply by June 14, 2007 with a fine of \$250.00 per day if the violations continue or are repeated past June 14, 2007.

Nancy Helms, Respondent, was present at this hearing and testified on her own behalf that the front yard had been cleaned up. Ms. Helms stated that the back yard still needed to be cleaned up.

After discussion of this case by the Board:

MOTION BY GERALD AMES, SECONDED BY JAY AMMON, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 07-54-CEB, it is determined that the Respondent is:

- (a) the owner of record of the property (Tax Parcel ID # 03-21-29-505-0X00-0400) located at 103 Champion Avenue, Altamonte Springs, located in Seminole County and legally described as follows:

LEG BEG 861.25 FT E + 104.5 FT S OF NW
COR BLK X RUN S 79 DEG 40 1/2 MIN E 197.48
FT N 15 DEG 19 1/2 MIN E 70 FT N 79 DEG 40 1/2 MIN
W 197.48 FT S 15 DEG 19 1/2 MIN W 70 FT TO BEG
MOBILE MANOR 2ND SEC PB 11 PG 48

- (b) in possession or control of the property, and
(c) in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (f), (g), (h), (j), and (p).

It is hereby ordered that the Respondent shall correct the violations on or before **June 14, 2007**. In order to correct the violations, the Respondent shall take the following remedial action:

- 1) **Remove unusable or abandoned appliances or white goods**
- 2) **Remove the accumulation of trash and debris**
- 3) **Remove uncultivated vegetation in excess of 24" in height and located within 75' from any structure.**
- 4) **Remove used/scrap building materials**
- 5) **Repair or remove the junked or abandoned vehicle(s) or place in an enclosed garage or an attached carport**
- 6) **Remove any other objectionable, unsightly, or unsanitary matter, substance, or material tending by its existence and/or accumulation to endanger or adversely affect the health, safety, lives, and/or welfare of the citizens of the county**

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
MAY 17, 2007

If the Respondent does not comply with the Order, a fine of **\$250.00 per day** will be imposed for each day the violations continue or are repeated after compliance past **June 14, 2007**.

The Respondent is further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 17th day of May 2007, in Seminole County, Florida.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
GERALD AMES – YES
LARRY LAWVER – YES**

**BILL FAHEY – YES
JAY AMMON – YES
STEWART FRITZ – YES**

MOTION CARRIED 7 – 0.

.....
Case No. 05-84-CEB
Zoila Alburez
Oscar Alburez
Georgina Alburez
Code Enforcement Officer: Dorothy Hird

The original violation was heard by the Board on October 27, 2005 and an Order was entered. On February 23, 2006, the Board reduced the fine from \$4,100.00 to \$150.00. The reduced fine was paid by the Respondents on March 21, 2006.

An Affidavit of Repeat Violation was filed by the Code Enforcement Officer after reinspection on October 3, 2006. This case was continued in December and January. The Board heard this on February 22, 2007 and an Order was entered giving the Respondents a compliance date of March 24, 2007. An Affidavit of Non-Compliance was filed after reinspection on March 29, 2007.

This property is NOT in compliance at this time.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
MAY 17, 2007

RECOMMENDATION: The Board issue an Order constituting a **lien** on a repeat violation in the amount of **\$2,700.00**, for 54 days of non-compliance, from March 25, 2007 through and including May 17, 2007 at **\$50.00 per day** and the fine shall continue to accrue at **\$50.00 per day** for each day the violation continues or is repeated past May 17, 2007. The Clerk shall record said Order in the Public Records of Seminole County.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4 as defined in Section 95.3(l)
Described as: 1) Junked or abandoned vehicle(s) not being kept within an enclosed garage or an attached carport
Location: 306 Lochmond Drive, Fern Park (Commission District 4)
Tax Parcel ID # 20-21-30-509-0000-0410

Dorothy Hird, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violation. Officer Hird stated that upon reinspection this morning, this property is in compliance.

Officer Hird presented an Affidavit of Costs for \$399.48.

Alvin Alburez, the son of the Respondents, was present at this hearing and testified on behalf of the Respondents. Mr. Alburez requested that the Board reduce the fine.

Officer Hird informed the Board that Mr. Alburez' father, one of the Respondents, had telephoned her this morning requesting that the fine be reduced.

After discussion of this case by the Board:

MOTION BY BILL FAHEY, SECONDED BY LARRY LAWVER, THAT THE ORDER FINDING COMPLIANCE AND IMPOSING FINE/LIEN ON REPEAT VIOLATION BE:

**ORDER FINDING COMPLIANCE AND IMPOSING FINE/LIEN
ON REPEAT VIOLATION**

The Respondents are the owners of record of the property (Tax Parcel ID # 20-21-30-509-0000-0410) located at 306 Lochmond Drive, Fern Park, located in Seminole County and legally described as follows:

LEG LOT 41 HIGHLAND PINES UNIT 1PB 14 PG 95

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
MAY 17, 2007

This case came on for public hearing before the Code Enforcement Board of Seminole County on the October 27, 2005 after due notice to the Respondents. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

Said Order found Respondents in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (l).

Said Order stated that a fine in the amount of \$50.00 per day would be imposed if the Respondents did not take certain corrective action by November 11, 2005. Compliance was obtained on February 2, 2006.

An Affidavit of Repeat Violation has been filed with the Board by the Code Enforcement Officer, which Affidavit certifies under oath that the violation was being repeated after reinspection on October 3, 2006. The Board heard the repeat violation on February 22, 2007 and an Order was entered.

An Affidavit of Compliance has been filed by the Code Enforcement Officer, which Affidavit certified under oath that the required action had been obtained after reinspection on May 17, 2007.

Accordingly, it having been brought to the Board's attention that the Respondents have complied with the Findings of Fact, Conclusions of Law and Order dated October 27, 2005 and the Findings of Fact, Conclusions of Law and Order On A Repeat Violation Not In Compliance dated February 22, 2007.

Therefore, the Board orders that the **fine** in the amount of **\$2,700.00** for 54 days of non-compliance, from March 25, 2007 through and including May 17, 2007, at \$50.00 per day **be reduced to \$250.00**.

It is further ordered that the Respondents shall have **15 days** in which to pay the reduced fine of **\$250.00**. If the Respondents do not pay this amount on or before **June 1, 2007**, the fine will revert to the original amount of **\$2,700.00** and shall constitute a lien upon any real or personal property owned by the Respondents.

This Order shall be recorded in the public records of Seminole County, Florida.

DONE AND ORDERED this 17th day of May 2007, in Seminole County, Florida.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
GERALD AMES – YES
LARRY LAWVER – YES**

**BILL FAHEY – YES
JAY AMMON – YES
STEWART FRITZ – YES**

MOTION CARRIED 7 – 0.

.....
(A brief recess was taken)
.....

Case No. 07-33-CEB
Lotis Troutman
Senior Code Enforcement Officer: Deborah Leigh

New case continued from April meeting by CEB

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (h), (i) and (j).
Described as: 1) Uncultivated vegetation in excess of 24” in height and located within 75’ from any structure
2) The remains or rubble of structures which have been burned, stricken by other casualty, or demolished
3) Used/scrap building materials
Location: 4510 Richard Allen Street, Lake Monroe (Commission District 5)
Tax Parcel ID # 20-19-30-501-0000-2510

Deborah Leigh, Senior Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violations. Officer Leigh stated that she reinspected the property on May 14, 2007 and that the violations remained.

Officer Leigh stated that the recommendation would be to comply by July 18, 2007 with a fine of \$200.00 per day if the violations continue or are repeated past July 18, 2007.

Lotis Troutman, the Respondent, was not present at this hearing.

After discussion of this case by the Board:

MOTION BY GRACE CHEWNING, SECONDED BY GERALD AMES, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 07-33-CEB, it is determined that the Respondent is:

- (a) the owner of record of the property (Tax Parcel ID # 20-19-30-501-0000-2510) located at 4510 Richard Allen Street, Lake Monroe, located in Seminole County and legally described as follows:

LEG LOT 251 BOOKERTOWN PB 4 PG 98

- (b) in possession or control of the property, and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (h), (i) and (j).

It is hereby ordered that the Respondent shall correct the violations on or before **July 18, 2007**. In order to correct the violations, the Respondent shall take the following remedial action:

- 1) Remove uncultivated vegetation in excess of 24" in height and located within 75' from any structure.**
- 2) Remove the remains or rubble of structures which have been burned, stricken by other casualty, or demolished.**
- 3) Remove used/scrap building materials**

If the Respondent does not comply with the Order, a fine of **\$200.00 per day** will be imposed for each day the violations continue or are repeated after compliance past **July 18, 2007**.

The Respondent is further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 17th day of May 2007, in Seminole County, Florida.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
GERALD AMES – YES
LARRY LAWVER – YES**

**BILL FAHEY – YES
JAY AMMON – YES
STEWART FRITZ – YES**

MOTION CARRIED 7 – 0.

.....
Case No. 07-48-CEB
John Deller
Code Enforcement Officer: Pamela Taylor

New Case

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (h).
Described as: 1) Uncultivated vegetation in excess of 24” in height and located within 75’ from any structure.
Location: 365 Hibiscus Drive, Sanford (Commission District 5)
Tax Parcel ID 12-20-30-503-0100-001A

Pamela Taylor, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violation. Officer Taylor stated that she reinspected the property today; and the violation still remains.

Officer Taylor stated that the recommendation would be to comply by May 31, 2007 with a fine of \$100.00 per day if the violation continues or is repeated past May 31, 2007.

John Deller, Respondent, was not present at this hearing.

After discussion of this case by the Board:

MOTION BY STEWART FRITZ, SECONDED BY JAY AMMON, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 07-48-CEB, it is determined that the Respondent is:

- (a) the owner of record of the property (Tax Parcel ID # 12-20-30-503-0100-001A) located at 365 Hibiscus Drive, Sanford, located in Seminole County and legally described as follows:

LEG W 70 FT OF LOTS 1 + 2 BLK 1 FLORA
HEIGHTS PB 3 PG 19

- (b) in possession or control of the property, and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (h)

It is hereby ordered that the Respondent shall correct the violation on or before **May 31, 2007**. In order to correct the violation, the Respondent shall take the following remedial action:

- 1) Remove uncultivated vegetation in excess of 24” in height and located within 75’ from any structure**

If the Respondent does not comply with the Order, a fine of **\$100.00 per day** will be imposed for each day the violation continues or is repeated after compliance past **May 31, 2007**.

The Respondent is further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 17th day of May 2007, in Seminole County, Florida.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
GERALD AMES – YES
LARRY LAWVER – YES**

**BILL FAHEY – YES
JAY AMMON – YES
STEWART FRITZ – YES**

MOTION CARRIED 7 – 0.

Case No. 07-51-CEB
Corey S. Johns
Code Enforcement Officer: Jerry Robertson

New case

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (l)
Described as: 1) Junked or abandoned vehicle(s) not being kept within an enclosed garage or an attached carport.
Location: 710 Tropical Avenue, Oviedo (Commission District 1)
Tax Parcel ID # 21-21-32-5CF-5800-0030

Jerry Robertson, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violation. Officer Robertson stated that all but one of the vehicles have been removed.

Officer Robertson stated that the recommendation would be to comply by May 30, 2007 with a fine of \$150.00 per day if the violation continues or is repeated past May 30, 2007.

Corey S. Johns, Respondent, was not present at this hearing.

After discussion of this case by the Board:

MOTION BY GERALD AMES, SECONDED BY LARRY LAWVER, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 07-51-CEB, it is determined that the Respondent is:

- (b) the owner of record of the property (Tax Parcel ID # 21-21-32-5CF-5800-0030) located at 710 Tropical Avenue, Oviedo, located in Seminole County and legally described as follows:

LOT 3 BLK 58 NORTH CHULUOTA PB 2 PGS 54 TO 58

- (b) in possession or control of the property, and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (l)

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
MAY 17, 2007

It is hereby ordered that the Respondent shall correct the violation on or before **May 30, 2007**. In order to correct the violation, the Respondent shall take the following remedial action:

- 1) Repair or remove the junked or abandoned vehicle(s) or place in an enclosed garage or an attached carport**

If the Respondent does not comply with the Order, a fine of **\$150.00 per day** will be imposed for each day the violation continues or is repeated after compliance past **May 30, 2007**.

The Respondent is further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 17th day of May 2007, in Seminole County, Florida.

TOM HAGOOD – YES	BILL FAHEY – YES
GRACE CHEWNING – YES	JAY AMMON – YES
GERALD AMES – YES	STEWART FRITZ – YES
LARRY LAWVER – YES	

MOTION CARRIED 7 – 0.

.....
AT THIS TIME, THE CHAIRMAN ASKED TO ENTERTAIN A MOTION TO ACCEPT THE CONSENT AGENDA AS LISTED. MOTION BY LARRY LAWVER, SECONDED BY GRACE CHEWNING, TO ACCEPT THE CONSENT AGENDA AS FOLLOWS:

Case No 03-102-CEB
Noel and Earline Martin
Code Enforcement Officer: Dorothy Hird

The Board originally heard this case on December 4, 2003 and an Order was entered. An Affidavit of Non-Compliance was filed by the Code Enforcement Officer after reinspection on December 30, 2003. An Affidavit of Compliance was filed by the Code Enforcement Officer after reinspection on March 5, 2004. On March 18, 2004, the Board imposed a lien of \$3,400.00. The lien remains unpaid.

An Affidavit of Repeat Violation was filed by the Code Enforcement Officer after reinspection on July 21, 2004. On September 23, 2004, the Board imposed a fine of \$3,200.00 and increased the accruing fine to \$100.00 per day. An Affidavit of Compliance After Repeat Violation was filed after reinspection on October 11, 2004.

This property is presently in compliance.

RECOMMENDATION: The Board issue an Order constituting a **lien** in the amount of **\$4,800.00**, for 80 days of non-compliance (64 days from July 21, 2004 through and including September 23, 2004 at \$50.00 per day and 16 days from September 24, 2004 through and including October 10, 2004). The Clerk shall record said Order in the Public Records of Seminole County.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4 as defined in 95.3 (h) and (l)
Described as: 1) Uncultivated vegetation in excess of 24" in height and located within 75' from any structure
2) Junked or abandoned vehicle not kept within an enclosed garage or an attached carport
Location: 127 Leon Street, Altamonte Springs (Commission District 4)
Tax Parcel ID # 18-21-30-507-0000-0650

**ORDER FINDING COMPLIANCE AND IMPOSING FINE/LIEN
ON A REPEAT VIOLATION PRESENTLY IN COMPLIANCE**

The Respondents are the owners of record of the property (Tax Parcel ID # 18-21-30-507-0000-0650) located at 123 Leon Street, Altamonte Springs, located in Seminole County and legally described as follows:

LEG LOTS 65 + 66 REPLAT OF WINWOOD PARK
PB3 PG 30

This case came on for public hearing before the Code Enforcement Board of Seminole County for repeat violation on September 23, 2004 after due notice to the Respondents. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order on a Repeat Violation Not in Compliance.

Said Order found Respondents in repeat violation of the Seminole County Code, Chapter 95, as defined in Section 95.3(h) and (l).

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
MAY 17, 2007

Said Order stated that a fine in the amount of \$3,200.00 would be imposed for 64 days of non-compliance from July 21, 2004, through and including September 23, 2004, at \$50.00 per day. The Order further stated that the fine shall be increased to \$100.00 per day if the violations are not corrected by or are repeated after September 23, 2004.

An Affidavit of Compliance had been filed by the Code Enforcement Officer, which Affidavit certified under oath that the required action had been obtained as of October 11, 2004.

Accordingly, it having been brought to the Board's attention that the Respondents have complied with the Findings of Fact, Conclusions of Law and Order on Repeat Violation Not in Compliance dated September 23, 2004, the Board orders that a lien in the amount of **\$4,800.00** for 64 days of non-compliance from July 21, 2004 through and including September 23, 2004 at \$50.00 per day and 16 days of non-compliance from September 24, 2004 through and including October 10, 2004 at \$100.00 per day be imposed against the property.

This Order shall be recorded in the public records of Seminole County, Florida, and shall constitute a lien against the land on which the violations exist and upon any other real or personal property owned by the Respondents.

DONE AND ORDERED this 17th day of May 2007, in Seminole County, Florida.

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Case No. 05-05-CEB
Larry W. Buckner
Code Enforcement Officer: Dorothy Hird

The original violation was heard by the Board on January 27, 2005 and an Order was entered. Compliance on the original violation was obtained after reinspection on October 26, 2005. The original fine had accrued to \$3,550.00. The Board rescinded this fine on October 27, 2005. An Affidavit of Repeat Violation was filed after reinspection on September 19, 2006. An Affidavit of Compliance After Repeat Violation was filed after reinspection on September 29, 2006. This property is presently in compliance.

Recommendation: The Board issue an Order constituting a **lien** on a repeat violation, in the amount of **\$500.00**, for 10 days of non-compliance, from September 19, 2006, through and including September 29, 2006, at **\$50.00 per day**. The Clerk shall record said Order in the Public Records of Seminole County.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
MAY 17, 2007

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (h).
Described as: 1) Uncultivated vegetation in excess of 24" in height, within 75' of a structure.
Location: 127 Orienta Drive, Altamonte Springs (Commission District 4)
Tax Parcel ID # 23-21-29-501-0000-0460

**ORDER FINDING COMPLIANCE AND IMPOSING FINE/LIEN
ON A REPEAT VIOLATION PRESENTLY IN COMPLIANCE**

The Respondent is the owner of record of the property (Tax Parcel ID # 23-21-29-501-0000-0460) located at 127 Orienta Drive, Altamonte Springs, located in Seminole County and legally described as follows:

LEG LOT 46 ORIENTA GARDENS 2ND ADD PB 11 PG 53

This case came on for public hearing before the Code Enforcement Board of Seminole County for repeat violation on December 14, 2006 after due notice to the Respondent. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order on a Repeat Violation Presently in Compliance.

Said Order found Respondent in repeat violation of the Seminole County Code, Chapter 95, as defined in Section 95.3(h).

Said Order stated that a fine in the amount of \$500.00 would be imposed for 10 days of non-compliance from September 19, 2006, through and including September 28, 2006, at \$50.00 per day. The Order further stated that the fine shall be increased to \$100.00 per day if the violation is not corrected by or is repeated after December 14, 2006.

An Affidavit of Compliance After Repeat Violation had been filed by the Code Enforcement Officer, which Affidavit certified under oath that the required action had been obtained as of September 29, 2006.

Based on the testimony and evidence presented, the Respondent was in repeat violation of the Seminole County Code, as stated in the Findings of Fact, Conclusions of Law and Order On A Repeat Violation Not In Compliance dated December 14, 2006.

Therefore, the Board orders that a **lien** in the amount of **\$500.00** for 10 days of non-compliance, from September 19, 2006 through and including September 29, 2006 at **\$50.00 per day**, be imposed against the property.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
MAY 17, 2007

This Order shall be recorded in the public records of Seminole County, Florida, and shall constitute a lien against the land on which the violations exist and upon any other real or personal property owned by the Respondent.

DONE AND ORDERED this 17th day of May 2007, in Seminole County, Florida.

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Case No. 06-85-CEB
Toshia Blake
Senior Code Enforcement Officer: Deborah Leigh

This case was continued in March and April. It was originally heard by the Board on December 14, 2006 and an Order was entered giving the Respondent a compliance date of February 8, 2007. An Affidavit of Non-Compliance was filed by the Code Enforcement Officer after reinspection on February 9, 2007. This property is NOT in compliance at this time.

RECOMMENDATION: The Board issue an Order constituting a **lien** in the amount of **\$19,600.00** for 98 days of non-compliance from February 9, 2007 through and including May 17, 2007 at \$200.00 per day, and the fine shall continue to accrue at **\$200.00 per day** for each day the violations continue or are repeated past May 17, 2007. The Clerk shall record said Order in the Public Records of Seminole County.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in 95.3 (g), (h), (j), (l) and (p).

- Described as:
- 1) The accumulation of trash and debris.
 - 2) Uncultivated vegetation in excess of 24" in height and located within 75' of a structure.
 - 3) Used and/or scrap building materials on property.
 - 4) Junked or abandoned vehicles not being kept within a enclosed garage or an attached carport.
 - 5) Any other objectionable, unsightly, or unsanitary matter tending by its existence and/or accumulation to endanger or adversely affect the health, safety, lives and/or welfare of the citizens of the county.

Location: 1251 Dunbar Avenue, Lake Monroe (Commission District 5)
Tax Parcel ID # 20-19-30-501-0000-3380

ORDER FINDING NON-COMPLIANCE AND IMPOSING FINE/LIEN

The Respondent is the owner of record of the property (Tax Parcel ID # 20-19-30-501-0000-3380) located at 1251 Dunbar Avenue, Lake Monroe, located in Seminole County and legally described as follows:

LEG S 1/2 OF LOT 338 & ALL LOTS
339 & 340 BOOKERTOWN PB 4 PG 98

This case came on for public hearing before the Code Enforcement Board of Seminole County on December 14, 2006, after due notice to the Respondent. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

Said Order found Respondent in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in 95.3 (g), (h), (j), (l), and (p).

Said Order stated that a fine in the amount of \$200.00 per day would be imposed if the Respondent did not take certain corrective action by February 8, 2007.

The Code Enforcement Officer filed an Affidavit of Non-Compliance, which Affidavit certified under oath that the required action had not been obtained after reinspection on February 12, 2007.

Accordingly, it having been brought to the Board's attention that Respondent has not complied with the Order dated December 14, 2006, the Board orders that a **lien** in the amount of **\$19,600.00**, for 98 days of non-compliance from February 9, 2007 through and including May 17, 2007 at \$200.00 per day, be imposed; and the fine shall continue to accrue at **\$200.00 per day** for each day the violations continue or are repeated past May 17, 2007.

This Order shall be recorded in the official land records of Seminole County and shall constitute a **lien** against the land on which the violations exist and upon any other real or personal property owned by the Respondents.

DONE AND ORDERED this 17th day of May 2007, in Seminole County, Florida.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
GERALD AMES – YES
LARRY LAWVER – YES**

**BILL FAHEY – YES
JAY AMMON – YES
STEWART FRITZ – YES**

MOTION CARRIED 7 – 0.

VII Approval of the minutes from the meeting of April 26, 2007.

**MOTION BY LARRY LAWVER, SECONDED BY GRACE CHEWNING, TO
APPROVE THE MINUTES FROM THE MEETING OF MARCH 22, 2007.**

**TOM HAGOOD – YES
GRACE CHEWNING – YES
GERALD AMES – YES
LARRY LAWVER – YES**

**BILL FAHEY – YES
JAY AMMON – YES
STEWART FRITZ – YES**

MOTION CARRIED 7 – 0.

VIII Confirmation date of next meeting: June 28, 2007

IX Old Business –

General discussion concerning London, 06-16-CEB

X New Business –

General discussion of quality of life issues

XI Adjourn – There being no further discussion, this meeting was adjourned at 4:15 P.M.

Respectfully submitted:

**Jane Spencer
Clerk to the Code Enforcement Board**

**Tom Hagood
Chair**

5-17-07 minutes